

## SPSO decision report



**Case:** 202308924, Albyn Housing Society Ltd  
**Sector:** Housing Associations  
**Subject:** Neighbour disputes and anti-social behaviour  
**Decision:** upheld, recommendations

### Summary

C, a tenant of Albyn Housing Society Ltd, reported antisocial behaviour (ASB) from a neighbouring family who were also tenants of the association. The ASB related to an overwhelming and pervading smoke and smell as a result of the neighbouring family's cannabis smoking. The association reported having visited the family and the volume and frequency of smoke and smell reduced. Over the next several months, C made three further reports of the same ASB recurring, including reporting deterioration in their own and their family's respiratory health. On each occasion the association reported visiting, or attempting to visit, the neighbouring family it resulted in temporary reductions in the volume and frequency of smoke and smell.

When C complained that the association had not responded reasonably to the reports, the association's response indicated that they considered that they had taken reasonable action. C felt that they had no option but to end their tenancy and raised their complaints with SPSO.

We found that the association did not progress matters in line with a number of parts of their ASB Procedure regarding administration, categorisation and investigation of reports of ASB, subsequent review of progress, consideration of possible solutions to the reported ASB, or taking into account how the situation had developed over a number of months. The association did not explain to C that evidence and corroboration was required to enable them to take action, and they did not follow through with their belated requests that C keep a log of dates and times when issues arose. The association also failed to keep reasonable records of the actions that they did take or pursue and fulfil actions they indicated they intended to take. We upheld C's complaint.

### Recommendations

What we asked the organisation to do in this case:

- Apologise to C that they did not take reasonable action in response to C's reports of ASB from neighbouring tenants. The apology should meet the standards set out in the SPSO guidelines on apology available at [www.spsso.org.uk/information-leaflets](http://www.spsso.org.uk/information-leaflets).

What we said should change to put things right in future:

- The association's actions in response to reports of ASB are in line with their ASB Procedure, including actions being reasonably or consistently recorded and reasonably considered including consideration of progression within the ASB Procedure when further reports about the same matters are made.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.